

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SEP 24 2009

SHERMAN DIVISION

DAVID J. MALAND, CLERK  
BY  
DEPUTY \_\_\_\_\_

LUIS RANGEL FRIAS, #14131-078 §

VS. §

CIVIL ACTION NO. 4:09cv360  
CRIMINAL ACTION NO. 4:06CR315

UNITED STATES OF AMERICA §

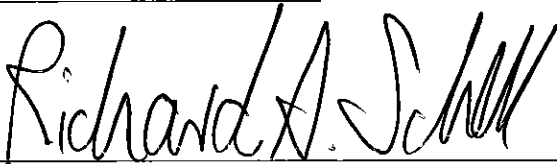
ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Don D. Bush. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the motion to vacate, set aside or correct sentence is **DENIED** and the case is **DISMISSED** without prejudice. It is further

**ORDERED** that all motions by either party not previously ruled on are hereby **DENIED**.

SIGNED this 24<sup>th</sup> day of September, 2009.

  
RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE